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EXAMINER
LIN, KELVIN Y

ART UNIT	PAPER NUMBER
2142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		10/010,616	EGLI ET AL.
		Examiner	Art Unit
		Kelvin Lin	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 November 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1, 3-39, 41-77, 79-82</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1, 3-39, 41-77 and 79-82</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Detailed Action

Response to Arguments

1.   Applicant's arguments with respect to claims 1, 3-39, 41-77, 79-82 have been considered but are not persuasive .

2.   Regarding claim 1, applicant argues that "Kloba does not teach or suggest storing the copy of the particular media object in cache memory, as claimed".

The Office respectfully disagrees.

Kloba discloses that the user selects a page (media object) to view on the client 108. The page is obtained from the cache of the client 108, or if not in the cache then from the server 104 (Kloba, col. 17, l.49-52). Furthermore, the web synchronization module 124 obtains an object (copy of media object) from a provider 128. The object is a content which can be any entity, application, and service (Kloba, col.23, l.55-59). In addition, the web synchronization module 124 translate/transforms/optimizes the object for use by a particular client (Kloba, col.23, l.60-67).

Therefore, all mentioned above is satisfying the limitations of storing the copy of the particular media object in cache memory, as claimed. The rejection of claim 1 is maintained.

3.   Similarly, regarding claim 39, applicant argues the same as above that "Kloba does not teach or suggest storing the copy of the translated objects in the server cache". Therefore, it is rejected based on the same reason set forth for the rejection of claim 1, and its dependent claims 40-62, 64, 66, and 69-71.

4.   Regarding claim 77, applicant argues that "Kloba does not teach or suggest that
the information is obtained from examining the request".

The Office respectfully disagrees.

Kloba discloses that the client 108 requests an object, the server web
synchronization module 124 (fig. 1a) obtains the request object and performs the
hash operation to compare the result to the previously stored hash result for the
object, prior to sending the object to the client (Kloba, fig. 1L, element 178a-
178l). Therefore, the client's request and the server performs the hash
operation based on the client's request object are satisfying the limitations of the
information is obtained from examining the request submit by the client (device).
And, the rejection of claim 77 is maintained.

Similarly, its dependent claims 78-82 are rejected based on the same reason set
forth for the rejection of claim 77.

Response to Amended Claims

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that
form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 3-39, 41-77, 79-82 are rejected under 35 USC 102(e)

as being anticipated by Kloba et al., (US Patent 6341316).

3.   Regarding claim 1, Kloba teaches an online system, a method for determining

the capabilities of client devices and supplying media content in a format suitable

for such devices, the method comprising:

- receiving a request to provide a target device with a copy of a

  particular media object (Kloba, col.5, I.14-23);

- determining capabilities of the target device (Kloba, col.5, I.16-17);

- based on the capabilities of the target device, determining a format

  that is desired for providing the target device with a copy of the

  media object (Kloba, col.5, i.16.-17, Fig. 1W);

- translating the particular media object into a copy having said

  determined format (Kloba, col. 17, I.49-52); and

- providing the target device with the copy having said determined

  format (Kloba, col.5, I.21); and

- storing the copy having said determined format in a server cache

  (Kloba, col. 23, I. 55-67).

4.   Regarding claim 3, Kloba further discloses the method of claim 1, further

comprising: receiving from a target device a subsequent request for the particular

object in the determined format; and providing the target device with the copy

stored in said server cache (Kloba, col.23, l.37-39).

5.   Regarding claim 4, Kloba further discloses the method of claim 1, further

comprising: obtaining a copy of said particular media object from a connected

server for translation of said media object (Kloba, col.16, l.55-56, col.23, l.60-62,

col. 35, l.25-26).

6.   Regarding claim 5, Kloba further discloses the method of claim 4, further

comprising:

- storing in cache memory a cached copy of said media object

  received from said connected server (Kloba, col.14, l.64-65); and

- in response to subsequent requests for translation of said media

  object, using the copy of said media object stored in cache memory

  (Kloba, col.15, l.38-40).

7.   Regarding claim 6, Kloba further discloses the method of claim 1, wherein the

capabilities of the target device include screen resolution (Kloba, col.24, l.23).

8.   Regarding claim 7, Kloba further discloses the method of claim 1, wherein the

capabilities of the target device include screen size (Kloba, col.24, l.8).

9.   Regarding claim 8, Kloba further discloses the method of claim 1, wherein the

capabilities of the target device include color support (Kloba, col.24, l.10).

10.   Regarding claim 9, Kloba further discloses the method of claim 1, wherein the

capabilities of the target device include bit rate (Kloba, col.11, l.1).

11.   Regarding claim 10, Kloba further discloses the method of claim 1, wherein the

capabilities of the target device include currently-available communication

medium that the target device employs to transmit its request (Kloba, col.8, l.11-

14).

12.   Regarding claim 11, Kloba further discloses the method of claim 10, wherein

currently-available communication medium comprises wireless communication

(Kloba, col.8, l.11-14).

13.   Regarding claim 12, Kloba further discloses the method of claim 10, wherein

currently-available communication medium comprises wireline communication

(Kloba, col.8, l.11-14).

14.   Regarding claim 13, Kloba further discloses the method of claim 1, wherein

said step of determining capabilities of the target device includes examining the

request submitted by the device (Kloba, col.5, l.14-17).

15.   Regarding claim 14, Kloba further discloses the method of claim 1, wherein

said step of determining capabilities of the target device includes examining the

HTTP header submitted by the device (Kloba, col.5, l.14-25).

16.   Regarding claim 15, Kloba further discloses the method of claim 14, wherein

examining the HTTP header submitted by the device includes examining the

HTTP User-Agent header (Kloba, col.21, l.49, by the definition of HTTP, it is

obvious to implement the user-agent header.).

17.   Regarding claim 16, Kloba further discloses the method of claim 1, wherein said

step of determining capabilities of the target device includes querying the device

for its capabilities (Kloba, col.15, l.48-49).

18.   Regarding claim 17, Kloba further discloses the method of claim 1, wherein said

step of determining capabilities of the target device includes determining

capabilities from a knowledgebase, based on a device class for the target device

(Kloba, col.5, l.4-6, col.14, l.60-63).

19.   Regarding claim 18, Kloba further discloses the method of claim 17, further

comprising: recording a log record of target devices that are not recognized to

enable the capabilities of said devices to be added to the knowledgebase (Kloba,

col.29, l.38-42).

20.   Regarding claim 19, Kloba further discloses the method of claim 18, further

comprising: automatically issuing notifications regarding said target devices that

are not recognized (Kloba col.29, l.43-47).

21.   Regarding claim 21, Kloba further discloses the method of claim 1, wherein said

step of determining a format that is desired includes determining an appropriate

color space for rendering a particular image at the target device (Kloba col.21,

l.19-26).

22.   Regarding claim 24, Kloba further discloses the method of claim 1, wherein said

step of determining a format that is desired includes determining the appropriate

bit rate for the target device (Kloba, col.11, l.1).

23.   Regarding claim 28, Kloba further discloses the method of claim 1, wherein said

target device includes a handheld computing device having display capability

(Kloba, col.10, I.40-41).

24.   Regarding claim 29, Kloba further discloses the method of claim 1, wherein said

target device includes a handheld computing device having digital audio

capability (Kloba, col.4, I.33, col. I.38, Table 2)

25.   Regarding claim 30, Kloba further discloses the method of claim 1, wherein said

target device includes a cellular phone device having display capability (Kloba,

col.10, I.38).

26.   Regarding claim 31, Kloba further discloses the method of claim 1, wherein said

target device includes a cellular phone device having digital audio capability

(Kloba, col.10, I.40-41).

27.   Regarding claim 32, Kloba further discloses the method of claim 1, wherein said

target device includes a pager device having display capability (Kloba, col.10,

I.38).

28.   Regarding claim 33, Kloba further discloses the method of claim 1, wherein said

target device includes a personal computer having display capability (Kloba, col.

10, I.40).

29.   Regarding claim 34, Kloba further discloses the method of claim 1, wherein said

target device includes a personal computer having digital audio capability (Kloba,

col.10, I. 38, I.40-41).

30.   Regarding claim 35, Kloba further discloses the method of claim 1, wherein said

target device includes WAP (Wireless Application Protocol) support (Kloba,

col.28, l.55-57).

31.   Regarding claim 36, Kloba further discloses the method of claim 1, wherein said

media objects include digital images (Kloba, col.15, l.32-33).

32.   Regarding claim 37, Kloba further discloses the method of claim 1, wherein said

digital objects include digital video (Kloba, col.4, l.13).

33.   Regarding claim 38, Kloba further discloses the method of claim 1, wherein said

digital objects include digital audio (Kloba, col.4, l.12).

34.   Regarding claims 39, 41-62, 64, 66, 69-76 have similar limitations as claims 1,

3-19, 21, 24, 28-38. Therefore, claims 39-62, 64, 66, 69-76 are rejected for the

same reasons set forth in the rejection of claim 1, 3-19, 21, 24, 28-38.

35.   Regarding claim 77, Kloba further discloses an online system, a method for

determining the capabilities of client devices, the method comprising:

- receiving an original request from a target device in which said

    target device does not include information regarding its capabilities

    (Kloba, col.29, l.40-42);

- determining capabilities of the target device by examining the

    request submitted by the device (Kloba, fig. 1L, elements 178A-

    178I);

- supplementing said original request received from said target

    device with information about the capabilities of said target device

    (Kloba, col.9, l.33-40) and

- forwarding said supplemented request to a destination specified in said original request (Kloba, col.9, l.41-47)

36.   Regarding claim 79, Kloba further discloses the method of claim 77, wherein said step of determining capabilities of the target device includes examining the HTTP header submitted by the device (Kloba, col.5, l.15-16)..

37.   Regarding claim 80, Kloba further discloses the method of claim 79, wherein examining the HTTP header submitted by the device includes examining the HTTP User-Agent header (Kloba, col.21, l.49, by the definition of HTTP, it is obvious to implement the user-agent header.)

38.   Regarding claim 81, Kloba further discloses the method of claim 77, wherein said step of determining capabilities of the target device includes querying the device for its capabilities (Kloba, col.15, l.48-49).

39.   Regarding claim 82, Kloba further discloses the method of claim 77, wherein said step of determining capabilities of the target device includes determining capabilities from a knowledgebase, based on a device class for the target device (Kloba, col.5, l.4-6, col.14, l.60-63).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

40.   Claims 20, 22-23, 25-27, 63, 65, and 67-68 are rejected under 35 U.S.C 103(a)

as being unpatentable over Kloba in view of Wenocur et al., (U.S. PG Pub. No.

2003/0041110).

41.   Regarding claims 20, 22-23, Kloba differs from the claimed invention in that it

does not explicitly indicate the resolution, image size, and rotation of

the particular image at the target device. However, Wenocur clearly teaches the

device capability determination includes variables of the size, resolution of the

object that the recipient's device can handle. (Wenocur, [0068]). Furthermore,

Wenocur teaches the rotation of the image in a video frame formats (Wenocur,

[0858], [0889], and [0891]). Combine with Wenocur objects resolution, image

size, and rotation that will improve the user capability, and also increase the

effectiveness.

42.   Regarding claims 63, and 65 have similar limitations as claims 20, and 22.

Therefore, claims 63, and 65 are rejected for the same reasons set forth in the

rejection of claim 20, and 22.

43.   Regarding claims 25-27, Kloba differs from the claimed invention in that it

does not explicitly indicate the determination of communication bandwidth for

transmitting a copy of the media object to the target device. However, Wenocur

clearly teaches the platform information device maintains the network bandwidth

information (Wenocur, [0499]).

Combine with Wenocur communication bandwidth filtering that will improve the image objects resolution and performance.

44.　　Regarding claims 67, and 68 have similar limitations as claims 25, and 27. Therefore, claims 67, and 68 are rejected for the same reasons set forth in the rejection of claim 25, and 27.

45.　　Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kloba's synchronizing content between a server and a client and Wenocur Optimizing delivery of image objects.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first replay is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KYL
1/24/2006

**ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER**